



General Assembly

February Session, 2004

**Substitute Bill No. 5614**

\* \_\_\_\_\_HB05614ENV\_\_\_\_031704\_\_\_\_\_\*

**AN ACT CONCERNING THE BAN OF INVASIVE PLANTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (e) of section 2 of public act 03-136 is repealed  
2 and the following is substituted in lieu thereof (*Effective from passage*):

3 (e) The council shall report, in accordance with section 11-4a, to the  
4 joint standing committee of the General Assembly having cognizance  
5 of matters relating to the environment on or before February 1, [2004]  
6 2005, and on January first annually thereafter, concerning the council's  
7 accomplishments of the past year and recommendations for the  
8 upcoming year, including, but not limited to, recommendations to  
9 prohibit the import or export, retail sale or wholesale and purchase of  
10 any invasive or potentially invasive plant listed pursuant to section  
11 22a-381b. In reporting recommendations to prohibit the import or  
12 export, retail sale or wholesale and purchase of any invasive or  
13 potentially invasive plant, the council shall also submit the names of  
14 any plant considered for such recommendation, information relating to  
15 any findings made pursuant to subsection (b) of this section and the  
16 vote of each council member on such recommendation.

17 Sec. 2. Section 8 of public act 03-136 is repealed and the following is  
18 substituted in lieu thereof (*Effective October 1, 2004*):

19 (a) Notwithstanding the provisions of any ordinance adopted by a

20 municipality, no person shall import, [move,] sell, purchase, [possess,]  
21 transplant, cultivate or distribute any of the following invasive plants:  
22 (1) Curly leaved Pondweed (*Potamogeton crispus*); (2) fanwort  
23 (*Cabomba caroliniana*); (3) eurasian water milfoil (*Myriophyllum*  
24 *spicatum*); (4) variable water milfoil (*Myriophyllum heterophyllum*);  
25 (5) water chestnut (*Trapa natans*); (6) egeria (*Egeria densa*); and (7)  
26 hydrilla (*Hydrilla verticillata*). [Any person who violates the  
27 provisions of this subsection shall be fined not more than one hundred  
28 dollars.]

29 (b) Notwithstanding the provisions of any ordinance adopted by a  
30 municipality, no person shall import, or begin new cultivation of for  
31 commercial purposes, any of the following invasive plants: (1) Purple  
32 loosestrife (*Lythrum salicaria*); (2) forget-me-not (*Myosotis*  
33 *scorpioides*); (3) Norway maple (*Acer platanoides*); (4) tree of heaven  
34 (*Ailanthus altissima*); (5) black locust (*Robinia pseudo-acacia*); (6)  
35 Japanese barberry (*Berberis thunbergii*); (7) common barberry  
36 (*Berberis vulgaris*); (8) autumn olive (*Elaeagnus umbrellata*); (9)  
37 winged euonymus (*Euonymus alatus*); (10) glossy buckthorn  
38 (*Frangula alnus*); (11) Bell's honeysuckle (*Lonicera xbella*); (12) amur  
39 honeysuckle (*Lonicera maackii*); (13) Morrow's honeysuckle (*Lonicera*  
40 *morrowii*); (14) common buckthorn (*Rhamnus cathartica*); (15)  
41 multiflora rose (*Rosa multiflora*); (16) Oriental bittersweet (*Celastrus*  
42 *orbiculatus*); (17) Japanese honeysuckle (*Lonicera japonica*); (18)  
43 goutweed (*Aegopodium podagraria*); (19) garlic mustard (*Alliaria*  
44 *petiolata*); (20) narrowleaf bittercress (*Cardamine impatiens*); (21)  
45 spotted knapweed (*Centaurea biebersteinii*); (22) black swallow-wort  
46 (*Cynanchum louiseae*); (23) pale swallow-wort (*Cynanchum*  
47 *rossicum*); (24) leafy spurge (*Euphorbia esula*); (25) Dame's rocket  
48 (*Hesperis matronalis*); (26) perennial pepperweed (*Lepidium*  
49 *latifolium*); (27) Japanese knotweed (*Polygonum cuspidatum*); (28)  
50 mile-a-minute vine (*Polygonum perfoliatum*); (29) fig buttercup  
51 (*Ranunculus ficaria*); (30) coltsfoot (*Tussilago farfara*); (31) Japanese  
52 stilt grass (*Microstegium vimineum*); (32) reed canary grass (*Phalaris*  
53 *arundinacea*); (33) common reed (*Phragmites australis*); (34) flowering

54 rush (Butomus umbellatus); (35) pond water-starwort (Callitriche  
 55 stagnalis); (36) European waterclover (Marsilea quadrifolia); (37)  
 56 parrotfeather (Myriophyllum aquaticum); (38) brittle water-nymph  
 57 (Najas minor); (39) American water lotus (Nelumbo lutea); (40) yellow  
 58 floating heart (Nymphoides peltata); (41) onerow yellowcress (Rorippa  
 59 microphylla); (42) watercress (Rorippa nasturtium-aquaticum), except  
 60 for watercress sold for human consumption without its reproductive  
 61 structure; (43) giant salvinia (Salvinia molesta); and (44) yellow iris  
 62 (Iris pseudacorus).

63 (c) Notwithstanding the provisions of any ordinance adopted by a  
 64 municipality, not later than January 1, 2007, no person shall sell,  
 65 purchase, transplant, cultivate or distribute any of the invasive plants  
 66 listed in subsection (b) of this section.

67 [(b)] (d) From June 26, 2003, until May 5, 2004, no municipality shall  
 68 adopt any ordinance regarding the retail sale or purchase of any  
 69 invasive plant.

70 (e) Any person who violates the provisions of this section shall be  
 71 fined not more than one hundred dollars.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>October 1, 2004</i>

**ENV**      *Joint Favorable Subst.*